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COUNSEL/PARTIES OF RECORD	
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6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

9 PARNELL COLVIN,
10
11 PLANTIFF.

Case No: 2:20-cv-01765-APG-EJY

MOTION TO ADD WITNESSES TO TRIAL
LIST ON BEHALF OF PLAINTIFF COLVIN

12 VS.

14 M.J. DEAN CONSTRUCTION,
15
16 DEFENDANTS.
17 _____/

18 Comes Now Plaintiff Parnell Colvin, and requesting the court to allow him to add key
19 witnesses to his witness list that will add very reliable , rebuttal and impeachment testimony to prove
20 his case against the defendants M.J. DEAN CONSTRUCTION. Colvin, was not consulted in the
21 creation of the witness by his former counsel Dan Marks, Colvin learned about the pretrial order
22 through to him filing a motion to receive e-file notifications once Colvin seen the witness list he
23 immediately Contacted his former attorney Dan Marks about very important witnesses being left off
24 the list Mr. Marks never responded to Colvin emails these witnesses will be very critical
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1 Plaintiff Colvin wants to ad (1). Mike Dean, who Colvin emailed shortly after being
2 wrongfully terminated Colvin want to have the opportunity to question Mr. Dean about what action
3 did he take once Colvin sent him his email ect. (2) Jeanette Cabalar, who is the secretary at
4 M.J. Dean Construction office, she was present when Colvin would go to the office 2-3 time a week
5 to put his name on the out of work list M.J. Dean had at its office. Her testimony will be used to
6 impeach the depositions testimony that John Thomason, gave during his deposition.
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8 Mr. Thomason testified that he never met the plaintiff Colvin.
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10 The secretary which Colvin is not sure if he has spelled her last name correct but do no that
11 her first name is Jeanette. She is the one that gave Colvin John Thomason, contact number and
12 more important was there the day Colvin came to meet Mr. Thomason at M.J. Dean office. In
13 fact when Colvin entered the office she was present and the person standing next to her was in
14 fact Mr. Thomason. She stated to Mr. Thomason that referring to me as the person that comes to
15 the office multiple times throughtout the week to put my name on the out of work list. She then
16 introduced me to Mr. Thomason and we went to the conference room which is located to the
17 right side of the building.
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21 This witness will be able to impeach Mr. Thomason, deposition testimony where he testified
22 that he never met Colvin, until he met him at the sphere jobsite this too is totally and also incorrect
23 Colvin had never been to the sphere project prior to meeting Mr. Thomason at M.J Dean office.
24 This witness will be able to testify she was present at the office and introduced Colvin to
25 Mr. Thomason.
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1 This witness is critical to establishing the trustworthy testimony of Mr. Thomason and if he later
2 tries to recant his deposition testimony the testimony of this witness will be used to impeach and
3 discredit him as a reliable trustworthy witness at trial.

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5 (3) Jeff Lipmann, Colvin knows at the time was the superintendant for the general contractor
6 Aecom Hunt, Colvin is working to make sure the spelling of this witness is correct. Colvin first person
7 he told about the abuse, harassment and being called a (NIGGER) by Kevin Guterrez was reported
8 to the superintendant of the sphere project. (4) George who was the safety director for Aecom Hunt
9 was also present. As I explained to the superintendant what Mr. Guterrez did he instructed me to go
10 to M.J. Dean trailer and explain to them what happend he then relpied that if M.J. Dean dont handle
11 this situation then come back to him and he would handle it.


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14 The superintendant also had George go with me to explain what had happend to me.
15 George took the lead in finding John Thomason the three of us went outside and George told me to
16 tell Mr. Thomason what happend. Mr. Thomason replied by stating he was not a raciest and that the
17 legendary blues artist (BB KING) was his friend. Mr. Thomason then stated is only concern was
18 protecting the owner Mike Dean. Thats when George steped in and told Mr. Thomason that
19 Mr. Guterrez could no longer supervise Colvin had it not been for George Mr. Thomason would have
20 left me under the control and abuse of Mr. Guterrez to continue to be abused.

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24 During Mr. Thomason depositon is when we learned he has ownership in the company
25 M.J. Dean Construction. This witness will be able also give direct testimony of the events that took
26 place he will also be able to testify that Mr. Guterrez did not stop all his tactics of harassment once
27 I was removed from his supervision. Mr. Guterrez then started telling the other black laborers I
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1 was talking about them to create more problems and make it more difficult for me to work. This black
2 labor called me to tell me that Kevin Guterrez is trying to create problems between myself and the
3 other black laborers by saying I was talking bad about them so we could have a confrontation. The
4 black laborer told me not to worry and they knew Mr. Guterrez was trying to put black laborers
5 against each other but they want want fall for Guterrez tactics and gamesmanship.
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8 I reported this incident to the safety director George who said he would put this in my file I
9 also reported to M.J. Dean safety personal. Colvin believes these witnesses need to be put on his
10 witness list and each has credible testimony to provide the court and jury. Thanking the court for
11 considering Colvin motion.
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23 Dated this November 29,2022

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26 PARNELL COLVIN
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CERTIFICATE OF SERVICE

I certify on this day November 29,2022 I served the defendant by placing said motion in the
U.S Post Office Mailbox to the following listed below.

Martin A. Little, Esq
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PARNELL COLVIN